United States Magistrate Judge

Name & Title of Judicial Officer

United States District Court

FILED

United	i States Distric	Si Couri	
NORTHERN	_ DISTRICT OF	CALIF	FORNIA APR 2 0 2007
			RICHARD W WIEKING
UNITED STATES OF AMERICA	Venue:	SAN FRANCIS	CLERK, U.S. DISTRICT COURT CONORTHERN DISTRICT OF CALIFORNI
v.			
ANGEL ESCOBAR	CRIMINA	AL COMP	LAINT
a/k/a CARLOS ADAMES	3.0	7 70236	
(Name and Address of Defendant)		NUMBER:	EMC
I, the undersigned complainant being du	aly sworn, state the follo	wing is true and	d correct to the best of my
knowledge and belief. On or about May	20, 2002, in San Mateo C	County, in the No	rthern District of California,
the defendant did, willfully and knowingl	y make a false statement	in an application	for a passport with intent to
induce or secure the issuance of a passpor			
use of another, contrary to the laws regula	•		
laws in violation of Title 18 United States		_	
laws in violation of Title 16 Cliffed States	Code, Section 13-2, <u>1 als</u>	e Statement in a	1 assport reprioation.
I further state that I am a Special Agent ar See attached Affidavit in Support of Cr	-	ased on the follow	ving facts:
	1		
Maximum Penalties: Title 18 USC Section 1542:			
10 years of imprisonment; \$250,000 fine;	3 years supervised release	e; and \$100 speci	al assessment fee
A I			
APPROVED AS TO FORM:	I-AER		
Derek Owens, SAU		_	
Continued on the attached sheet and made	e a part hereof: X Yes	□ No	
Warrant of Arrest Requested: ⊠Y	es □ No		
Bail Amount:			C D L : 1
Sworn to before me and subscribed in my	_	f Complainant, Jeffre	y C. Dubsick
April 20, 2007	at San Fran	ncisco, Califor	nia
Date	City and Stat		
Nandor J. Vadas	de		

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)	
)	ss. AFFIDAVIT
NORTHERN DISTRICT OF CALIFORNIA)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT CHARGING ANGEL ESCOBAR a/k/a CARLOS ADAMES WITH VIOLATING 18 U.S.C. § 1542; FALSE STATEMENT IN APPLICATION FOR A PASSPORT

I, Jeffrey C. Dubsick, being duly sworn, depose and state:

Affiant Background

- 1. I am a Special Agent employed by the Diplomatic Security Service (DSS), which is an agency of the United States State Department. DSS Special Agents are empowered under Title 22 U.S.C. § 2709 to investigate passport fraud and to apply for and serve arrest warrants.
- 2. I have a bachelor's degree from the University of California and am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program. I have been employed by DSS since December 2004, and have received and receive, on an ongoing basis, training in the laws, rules and regulations concerning passports. My previous investigations have resulted in 31 convictions for passport fraud or a related offense.

Purpose of Affidavit

- 3. This affidavit establishes probable cause to arrest ANGEL ESCOBAR, also known as CARLOS ADAMES, for False Statement in Application for a Passport, in violation of 18 U.S.C. § 1542, when he applied for a passport and falsely stated his name was CARLOS ADAMES and his place of birth was Puerto Rico, when his true name is ANGEL ESCOBAR and he was actually born in Mexico.
- 4. This affidavit is based in part upon my personal knowledge, interviews, and the review of various records and documents obtained during this investigation. This affidavit sets forth only those material facts that I believe are necessary to establish probable cause. It does not include each and every fact of this investigation.

Relevant Statute

- 5. The Passport Act of 1926, as amended, was in full force and effect throughout the period of this investigation. This Act, codified in 22 U.S.C. § 211a, authorized the United States Secretary of State to grant and issue United States passports under rules prescribed by the President and/or other federal laws. Some of these rules are that a person wanting a United States passport must complete and submit an application to the State Department and must submit proof of American citizenship, usually a birth certificate, and proof of identity, usually a driver's license and Social Security Number, with their application. Another rule allows officers at United States Post Offices to accept passport applications, and to then forward them to the State Department for processing.
- 6. Title 18 U.S.C. § 1542 states, in pertinent part, "Whoever willfully and knowingly makes any false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for their own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws...shall be fined under this title...or imprisoned not more than 10 years...or both." Title 18 U.S.C. § 3291 provides for a ten year statute of limitations for passport offenses.

Facts Supporting Probable Cause

7. On or about May 20, 2002, a person purporting to be CARLOS ADAMES submitted an application for a United States passport at the Redwood City Post Office, which is located in the Northern District of California. A review of this application and other State Department records disclosed this person submitted a Puerto Rican birth certificate bearing the name of CARLOS ADAMES, and that he listed the following information, in sum:

Name: CARLOS ADAMES Place of Birth: Puerto Rico

8. On April 11, 2007, Special Agent Bruce Palombo and I interviewed the person purporting to be CARLOS ADAMES. This person told us he was the passport applicant and that his true name was ANGEL ESCOBAR, not CARLOS ADAMES. He also told us he was born in Guerrero, Mexico, not Puerto Rico. He also told us he obtained the CARLOS ADAMES' Puerto Rican birth certificate for free from a friend.

Conclusion

10. Based on the facts and information detailed in the affidavit, I believe probable cause exists that ANGEL ESCOBAR, also known as CARLOS ADAMES, made a false statement in a passport application, in violation of 18 U.S.C. § 1542, when he falsely

stated his name was CARLOS ADAMES and his place of birth was Puerto Rico on the aforementioned passport application, which was submitted at the Redwood City Post Office in the Northern District of California. As such, I respectfully request a warrant for his arrest.

Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge, information and belief.

Jeffrey C. Dubsick

Special Agent

Diplomatic Security Service San Francisco Field Office

SUBSCRIBED AND SWORN BEFORE ME ON April 20, 2007

THE HONORABLE NANDOR J. VADAS

United States Magistrate Judge Northern District of California